

REMARKS/ARGUMENTS

Claims 1-10, 16, 17, 34 and 92-94 are currently pending in the application. The Examiner has rejected 1-10, 16, 34 and 92-94 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,026,376 to Kenney and U.S. Patent No. 6,337,709 to Yamaashi. The Examiner has also rejected claim 17 as allegedly being obvious over Kenney and Yamaashi in further view of U.S. Patent No. 6,697,103 to Fernandez et al.

Applicants have amended claim 1 to incorporate the limitations of claim 5. Claim 1 has also been amended to state that the image acquisition system comprises a camera operative to move in response to signals identifying at least one positional parameter. Applicants have also amended claim 92 to incorporate the limitations of claim 93. Claims 5 and 93 have been canceled.

To establish a *prima facie* case of obviousness, "the prior art must teach or suggest all the claim limitations." MPEP § 2143; see also MPEP § 2143.03 ("To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.").

As amended, the proposed combination of Kenney and Yamaashi fails to disclose or suggest the claimed combination. Neither Kenney nor Yamaashi disclose or suggest a parameter region database that stores product identifiers in association with regions defined by positional parameters of a camera. As the Examiner admits, Kenney fails to teach a system that provides live images of a remote location. Rather, Kenney discloses methods and systems that implement a virtual shopping facility from an actual shopping facility. According to Kenney, the invention allows a user to browse a "virtual duplicate of an actual store." Kenney, Col. 1: 41-43. Specifically, Kenny teaches capturing images of an actual store, storing them in a database, and allowing remote users to navigate the store by selecting images stored in the database. Kenney, Col. 2: 22-36. Kenney, however, does not

teach the use of a remotely controlled camera to capture images of the store; rather, Kenney teaches the use of a digital camera or the like. See Kenney, Col. 5: 24-43; & Col. 10: 29-32 (move digital camera throughout the store to capture images). In fact, Kenney also states that the virtual store can be created or rendered by a "computer graphics" program. See Kenney, Col. 5: 29-37.

Specifically, Kenney does not teach associating product identifiers with the positional parameters of a camera. Kenney fails to suggest this concept since Kenney merely discloses capturing images of the store using a convention digital camera. Kenney, however, is silent as to whether the digital camera is a computer-controlled pan-tilt-zoom camera, or simply a camera moved around the store to capture images. Kenney teaches the association of a product list to the x-y-z coordinates of an actual/virtual store, which is necessitated by the fact that Kenney does not teach recording the positional parameters of the camera during image acquisition. Further, the position of a cursor, however, are not positional parameters of a camera as the Examiner appears to allege at page 5 of the Office Action. Kenney, however, does not disclose or suggest defining the regions of a remote physical location in relation to the positional parameters (e.g., camera location, pan, tilt, zoom for PTZ cameras, spherical coordinates for fisheye lens cameras and the like) of an image acquisition system required for the image acquisition system to capture an image of the selected region and associating a product list to such positional parameters. Rather, Kenney discloses a system that maintains a user's virtual position within a virtual store relative to x-y-z (three-dimensional) parameters of the virtual store. As the Examiner admits, in Kenney, the user's position is maintained by monitoring the movement of a cursor or other interface control, translating that virtual movement into new x-y-z parameters, and displaying a stored (not live) image corresponding to the new parameters. Unlike Kenney, the positional parameters of the present invention are defined relative to

one or more positional parameters of cameras associated with the image acquisition system. In the present invention, as a user remotely navigates an actual physical location (by selecting regions in the location and requesting images of the selected regions), a processor scans the positional parameters of an image acquisition system required to capture an image of the selected region against the parameter region database to locate a product identifier corresponding to at least one product, if any, in the selected region. The new live image the selected region is transmitted with any corresponding product identifiers. Figure 8 of the present application illustrates this concept.

As to claim 17, given that the Examiner relies on Fernandez merely for its teaching of a computer-controlled, pan-tilt-zoom camera. Accordingly, the foregoing reasoning applies to traverse the Examiner's rejection of claim 17.

In light of the foregoing, Applicant believes that all currently pending claims are presently in condition for allowance. Applicant respectfully requests a timely Notice of Allowance be issued in this case. If the Examiner believes that a telephone conference would expedite prosecution of the present application, the Examiner is invited to call the undersigned at the telephone number set forth below.

Respectfully Submitted,
LAW OFFICE OF MARK J. SPOLYAR
By
/Mark Spolyar/

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Mark J. Spolyar
Reg. No. 42,164

Customer Number: 30505
Law Office of Mark J. Spolyar
2200 Cesar Chavez Street, Suite 8
San Francisco, CA 94124
415-826-7966
415-480-1780 fax